

UNITED STATES DISTRICT COURT

MASSACHUSETTS

JUAN H.MERCADO;
DEFENDANT:

VS.

UNITED STATES OF AMERICA,
RESPONDENT:FILED
DISTRICT ATTORNEY'S OFFICE

CASE NO#1:02 CR 10146-001

I
FEB -9 P 2:12
I

CIVIL ACTION NO#04 10043 RWZ

RE: JAN. 23, 2004 JAN. 29, 2004

FILED... U.S.D.A.

DISTRICT COURT
DISTRICT OF MASS.**MOTION****AMENDED DOCUMENT TO 28 U.S.C.\$2255 AFFIDAVIT OF OATH**

AFFIDAVIT OF OATH OF JUAN H.MERCADO

...28 U.S.C.\$1746...

- (1) I, JUAN H.MERCADO WAS APPOINTED A FEDERAL PUBLIC DEFENDER.
- (2) PUBLIC DEFENDER, MELVIN NORRIS, ESQ. DISTRICT OF MASSACHUSETTS.
- (3) DEFENDANT WAS COERCED INTO DECISIONS ILLEGITIMATELY BY PUBLIC DEFENDER.
- (4) PUBLIC DEFENDER SHOWED LITTLE OR NO INTEREST IN DEFENDANTS CASE AND STATED TO DEFENDANT THAT HE DID NOT WANT TO BE INVOLVED IN FUTURE PROCEEDINGS WITH ME.
- (5) PUBLIC DEFENDER CONSIDERED DEFENDANT AS JUST ANOTHER CASE OR LIKE A NUMBER, NEXT PLEASE DEFENDER...
- (6) PUBLIC DEFENDER REPRESENTED ME BUT IN WORKING FOR THE GOVERNMENT AS PAID.
- (7) PUBLIC DEFENDER DENIED DEFENDANT LEGAL RIGHT TO A FAIR TRIAL DUE TO MISCONDUCT AND OR INCOMPETENCY TO BE APPOINTED PUBLIC DEFENDER.
- (8) PUBLIC DEFENDER MADE ONLY FEEBLE ATTEMPTS TO ARGUE A REDUCTION OF MY POINTS OF SET FORTH BY THE PRESENTENCE INVESTIGATION REPORT VS. JUAN H.MERCADO.
- (9) PUBLIC DEFENDER SEEMED TO HAVE HIS MIND NOT TO DEFEND ME, BUT ON OTHER THOUGHTS.
- (10) PUBLIC DEFENDER WAS AWARE THAT MY TRANSPORTATION TO COURT WAS SUPPOSED TO BE ON A PROPER EXPECTED COURT TIME BASIS, YET MY COURT APPEARANCE WAS DELAYED, AND NOT TIMELY, WHEREAS THE COURT WAS VERY UPSET, WHEREAS THIS PUBLIC DEFENDER DID NOT DO HIS JOB ON DEFENDING MY UNTIMELY APPEARANCE, WHEREAS CONTRIBUTED TO NO LENIENCY TOWARD MY COURT PROCEEDINGS TO BE SET FORTH.

THIS DEFENDANT, JUAN H.MERCADO STATES NOW IN THIS AFFIDAVIT OF OATH THE THE FOREGOING STATEMENTS ARE TRUE, CERTAIN, CORRECT UNDER PENALTY OF PERJURY, 28 U.S.C.\$1746...

THIS DEFENDANT NOW SETS FORTH (1) ORIGINAL AND (3) COPIES TO BE AMENDED TO MY DOCUMENT OF 28 U.S.C.\$2255 FILED/RECEIVED IN THE MASSACHUSETTS DISTRICT COURT, AND NOTIFICATION TO THE DISTRICT ATTORNEYS OFFICE AS FROM GOVERNMENTS EXTENSION OF TIME TO RESPONSE OF JAN. 29, 2004, REFERENCE TRANSCRIPTS OF HEARINGS, REFERENCE TO INVESTIGATE ACCUSATIONS OF PUBLIC DEFENDERS INEFFECTIVE ASSISTANCE DURING DEFENDANTS COURT PROCEEDINGS...

DATED 2-5-04

RESPECTFULLY SUBMITTED

Juan H. Mercado
JUAN H.MERCADO
REG#24215-038
F.C.I. RAY BROOK
P.O. BOX 9007
RAY BROOK, N.Y. 12977

CC: COPY FILE
U.S.D.C.
JUAN H.MERCADO

CERTIFICATE OF SERVICE

I, JUAN H. MERCADO HEREBY SENT THIS LEGAL DOCUMENT, RE: 28 U.S.C. § 2255 WITH CONCERN AS AMENDED AFFIDAVIT OF OATH TO THE U.S. DISTRICT COURT OF MASSACHUSETTS, TO COURT CLERK, ONE COURTHOUSE WAY, BOSTON, MASS. 02210, REGISTERED/CERTIFIED MAIL, AND HAND DELIVERED TO A FEDERAL OFFICER AT F.C.I. RAY BROOK, P.O. BOX 9007, RAY BROOK, N.Y. 12977...

DATED 2-5-04

RESPECTFULLY SUBMITTED

Juan H. Mercado
JUAN H. MERCADO
REG#24215-038
F.C.I. RAY BROOK
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28 U.S.C. § 1746...

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